

REMARKS

The Office Action

Claims 1, 4-15, and 18-35 are pending. Claims 1, 4-14, 18, 23-33, and 35 stand rejected for lack of enablement. Claims 1, 15, 22, 34, and 35 and their dependent claims stand rejected for indefiniteness.

Amendments to the Claims

Claim 1 has been amended to include the limitations of claim 3 for (i), claim 11 for (ii), claim 6 for (iii), and claim 13 for (iv), and redundant phrases have been deleted. Claims 4-10 and 13 have been amended for consistency with the amendments to claim 1.

Claim 15 has been amended to include the limitations of claim 18 for (i), claim 11 for (ii), claim 19 for (iii), and claim 17 for (iv), and redundant phrases have been deleted. Claims 18 and 19 have been amended for consistency with claim 15. New claims 36 and 37 find support in now cancelled claim 17 and claim 11.

Claims 12 and 21-35 have been cancelled without prejudice.

Rejections under 35 U.S.C. § 112, first paragraph

The Office has rejected claims 1, 4-14, 18, 23-33, and 35 for lack of enablement because “[t]he specification ... does not provide for comparing the distribution of the target polynucleotide data points between two data clusters to a phosphorylation state standard distribution when the length diversity among polynucleotides or the chemical integrity or ratio of polynucleotides is determined.”

Claim 1 has now been amended to include the limitations of dependent claims 3, 6, 11, and 13, which the Office has previously indicated are allowable over the art. The present amendment also divides the limitations of these dependent claims in alternatives (i)-(iv) that may be performed in the method. This organization now provides that the comparison of the distribution of the target polynucleotide data points between the two data clusters to a phosphorylation state standard distribution occurs in alternative (i), directed to determining the phosphorylation state of the target polynucleotides. Appropriate standards and steps are also referenced for each of alternatives (ii)-(iv).

Similar amendments have been made to claim 15, as detailed above, and claims 23-33 and 35 have been cancelled. Accordingly, the rejection may be withdrawn.

Rejections under 35 U.S.C. § 112, second paragraph

Claims 1, 15, 22, 34, and 35 stand rejected for indefiniteness. Claims 22, 34, and 35 have been cancelled.

Claim 1 was rejected because it was unclear what the relevance of comparing to a phosphorylation state standard distribution was to the rest of the claim. As discussed above, claim 1 has been amended so that the phosphorylation state standard distribution is recited in alternative (i) and appropriate standards and steps are recited for alternatives (ii)-(iv).

Claim 15 was rejected because it was unclear what the ratio determination has to do with the rest of the claim. Similarly to claim 1, claim 15 has been amended so that the

ratio determination is recited in alternative (iv) and appropriate standards are recited for alternatives (i)-(iii).

The rejection may be withdrawn.

CONCLUSION

Applicant submits that the claims are in condition for allowance, and such action is respectfully requested. If there are any charges or any credits, please apply them to Deposit Account No. 03-2095.

Respectfully submitted,

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